

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF INDIANA, INDIANAPOLIS DIVISION**

LEON BENSON and KOLLEEN)	
BUNCH,)	
)	Case No. 1: 24-CV-00839 JPH-MJD
Plaintiffs,)	
)	Honorable Judge James Patrick Hanlon
v.)	
)	Hon. Magistrate Judge Mark J. Dinsmore
CITY OF INDIANAPOLIS, ALAN F.)	
JONES, LESLIE VANBUSKIRK,)	
STEVEN GARNER, ELI)	
MCALLISTER, and COLUMBUS)	
RICKS, in their individual capacities,)	
)	
Defendants.)	JURY TRIAL DEMANDED

**DEFENDANT JONES'S INITIAL
FEDERAL RULE 26(a) DISCLOSURES**

Defendant Alan Jones, by and through his attorneys, The Sotos Law Firm, P.C., submits the following initial disclosures pursuant to FED. R. CIV. P. 26(a)¹:

RULE 26(a) DISCLOSURES

Defendant Jones's initial disclosures are based on information and documents currently available to counsel. Defendant Jones reserves the right to supplement or amend his disclosures at any time.

A. WITNESSES. The following are individuals likely to have discoverable information:

The following individuals have knowledge or information regarding the August 8, 1998 murder of Kasey Schoen, their own interactions with Plaintiff Benson, the police investigation thereof, and/or Plaintiff Benson's criminal proceedings for the murder of Mr. Schoen, including without limitation, Plaintiff Benson's own investigation and efforts leading up to the 2023 dismissal of the case and their own interactions with police, prosecutors and Plaintiff Benson's various attorneys:

¹ Plaintiff Bunch has not filed any claims against Defendant Jones and accordingly these Rule 26(a) disclosures pertain solely to Plaintiff Benson.

1. Doug Barker
2. Leon Benson
3. Vincent Bolden
4. Anthony Bradford
5. Kenneth Brookings
6. Donald Brooks
7. Dr. Michael Clark, Indiana University Dept. of Pathology
8. Derald Cooper
9. Marian Crosswright, Mgr. Academy Apts.
10. Dakarai C. Fulton
11. Timothy Gaither
12. Shirley Gaskin
13. Father Rick Ginther
14. Records Custodian GRM Information Management Services, Inc., 2002 S. East St. Indianapolis, IN 46225
15. James Hendrix
16. Yolanda Hill
17. Andy Homan
18. Bill Homan
19. Michael Humphrey
20. Don Kennan, Metro Drug
21. Cheryl D. King
22. Carol Knight
23. Eric Mason
24. Burgess Meredith
25. Tim Noonan
26. Christy Schmitt
27. Jacquelyn Schoen
28. Latasha Shepherd
29. Diane Taylor, Personnel Director, National Car Rental
30. Mark S. Tobin
31. Joseph Webster
32. Beverly Young

The following current and/or former police officers, investigators, and law enforcement personnel from the Indianapolis Police Department and/or Indianapolis Metropolitan Police Department, have knowledge or information regarding the August 8, 1998 murder of Kasey Schoen, the police investigation thereof, including without limitation, all witness interviews and statements, and/or Plaintiff Benson's criminal proceedings for the murder of Mr. Schoen. These individuals (except for Defendant Jones) may only be contacted through Counsel for Defendant City of Indianapolis:

33. Jamal Abdullah
34. J. Beavers
35. Tim Conley
36. D. Correll

37. Det. Dubois
38. Det. Finnell
39. Steven Garner
40. Alan F. Jones
41. Robert J. Layton,
42. Eli McAllister
43. Det. Mitchell
44. Lt. Myers
45. Michael Petty
46. Chaplain R. Ricketts
47. Columbus Ricks
48. D. Truex
49. Leslie VanBuskirk
50. Officer Wager
51. Randy West

The following current or former members of the Marion County Prosecutor's Office and the Marion County Forensic Services Agency, may have knowledge or information regarding the August 8, 1998 murder of Kasey Schoen, the police investigation thereof, and/or Plaintiff's criminal proceedings for the murder of Mr. Schoen including, without limitation, any post-conviction investigations conducted by the State's Attorneys' Office and the basis for the dismissal of the charges against Plaintiff:

52. Kelly Bauder, Deputy Prosecutor, Marion County Prosecutor's Office
53. Heather Barton, Esq., Marion County Prosecutor's Office
54. David J. Brundage, Forensic Scientist, Marion County Forensic Services Agency
55. Clark Campbell, Deputy Prosecutor, Marion County Prosecutor's Office
56. Randall Head, former Deputy Prosecutor, Marion County Prosecutor's Office
57. Ryan Mears, Marion County Prosecutor, Marion County Prosecutor's Office
58. Adrienne Meiring, Deputy Prosecutor, Marion County Prosecutor's Office
59. Mark Stoner, Deputy Prosecutor, Marion County Prosecutor's Office
60. Rick Van Ness, Marion County Prosecutor's Office

The following attorneys may have knowledge or information regarding the August 8, 1998 murder of Kasey Schoen, the police investigation thereof, and/or Plaintiff's criminal proceedings for the murder of Mr. Schoen including, without limitation, any post-conviction proceedings and the basis for the dismissal of the charges against Plaintiff:

61. Lara Bazelon, Esq., USF School of Law, Racial Justice Clinic
62. James J. Bell, Bingham, Greenbaum and Doll, 10 West Market St., Indianapolis, IN 46204
63. J. Richard Kieffer, Bingham, Greenbaum and Doll, 10 West Market St., Indianapolis, IN 46204

- 64. Eric Koselke, Esq., 141 East Washington St., Suite 200, Indianapolis, IN 46204
- 65. Timothy J. Miller, 424 East Wabash St., Indianapolis, IN 46204
- 66. Charlie Nelson Keever, Esq., USF School of Law, Racial Justice Clinic
- 67. Frances Watson, Esq. Law Clinic, IU McKinney School of Law

The following individuals may have knowledge or information regarding the criminal proceedings against Plaintiff for the murder of Kasey Schoen, including without limitation, knowledge of court proceedings before them and decisions rendered by them:

- 68. Hon. Robyn Moberly, former Judge, Marion Superior Court, Criminal Division, Room Number Two.

Defendant may call any of the parties in this case, including Plaintiff or the individually named Defendants.

Defendant may call the keeper of records of any third party subpoenaed by either party to authenticate records disclosed in this litigation.

Defendant may call any official court reporter whose name appears on the Report of Proceedings of Plaintiff's criminal proceedings to authenticate these transcripts.

Investigation continues. This disclosure is not intended to be a final list of possible witnesses in this matter. Defendant reserves the right to supplement this disclosure as his investigation of this matter continues. Defendant also reserves the right to call any witness disclosed by Plaintiff, Defendants and/or persons listed in documents exchanged in this matter and/or received in response to subpoenas *duces tecum* to non-parties.

B. DOCUMENTS.

- 1. Indianapolis Police Department/Indianapolis Metropolitan Police Department investigative file from the Kasey Schoen murder in the possession of the Marion County Prosecutor's Office.
- 2. The Marion County Prosecutor's Office file from the prosecution of Leon Benson in the possession of the Marion County Prosecutor's Office.
- 3. Court records from *State of Indiana v. Leon Benson*, Cause Number 49G02-9808-CF-134837 and any related appellate or post-conviction cause numbers, including, but not limited to trial transcripts, trial exhibits, depositions, post-conviction transcripts, post-conviction exhibits, orders and decisions.
- 4. A complete copy of the criminal defense file for Leon Benson related to Marion County Superior Court Cause Number 49G02-9808-CF-134837 and any related appellate or post-conviction cause numbers, and/or Timothy J. Miller's file related to the same cause number(s).

5. Any materials regarding prosecutorial policies and procedures, including but not limited to policy manuals, handbooks, training materials, CLE materials, updates or workshops covering relevant time periods related to Brady materials or the disclosure of exculpatory evidence. This shall include any materials provided to the Indianapolis Police Department or Indianapolis Metropolitan Police Department by the Marion County Prosecutor's Office.
6. Personnel records, including training records, for Alan Jones, Leslie VanBuskirk, Columbus Ricks, Steven Garner, Eli McCallister, Adrienne Meiring, Randy Head, Heather Barton, and/or Timothy J. Miller.
7. Audio or video recordings of any statement provided pursuant to the investigation of the murder of Kasey Schoen or the investigation of Leon Benson for the murder of Kasey Schoen.
8. Audio or video recordings of interviews with any party to this matter.
9. All expert reports and all documents relied upon by experts.
10. All documents related to claimed damages.
11. All relevant medical records, if any.

Defendant may use any other documents received from the Parties in this matter or in response to third-party subpoenas which have or will be issued in this case. Lastly, Defendant incorporates herein by reference all documents and other materials identified in Plaintiff's Rule 26 Disclosures and the other named Defendants' Rule 26 Disclosures. Investigation continues.

C. DAMAGES.

At this time, Defendant is not asserting any claims for damages.

D. INSURANCE AGREEMENTS.

Defendant Jones refers Plaintiff to Defendant City of Indianapolis's 26(a) disclosures.

Date: September 12, 2024

Respectfully submitted,

/s/ Jeffrey R. Kivetz

JEFFREY R. KIVETZ, Atty. No. 6308250

One of the Attorneys for Defendant Alan Jones

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CERTIFICATE OF SERVICE

I, Katelyn N. Salek, a non-attorney, hereby certify under penalty of perjury pursuant to 28 U.S.C.A. § 1746 that the following is true and correct, that on **Thursday, September 12, 2024**, I served the foregoing **Defendant Alan Jones' Initial Federal Rule 26(a) Disclosures** via electronic mail to those listed on the service list below:

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